

Existing law prohibits a person from practicing veterinary medicine in this state without a license or a valid temporary permit issued by the Louisiana Board of Veterinary Medicine. It does not prohibit the following:

- (1) An employee of the federal, state, or local government from performing his official duties.
- (2) A regular student in a veterinary school from performing duties or actions assigned by his instructors or from working under the direct supervision of a licensed veterinarian during a school vacation period.
- (3) A person from advising with respect to or performing acts that the board has prescribed as accepted livestock management practices such as: the collection of semen for processing or freezing for use in artificial insemination, the nonsurgical impregnation of farm animals with frozen embryos, the practice of artificial insemination of farm animals, and the teaching in schools and short courses of artificial insemination techniques and pregnancy diagnosis by certain qualified employees.
- (4) A licensed veterinarian from another state from consulting with a licensed veterinarian in this state.
- (5) Any merchant or manufacturer from selling, at his regular place of business, medicines, feed, appliances, or other products used in the prevention or treatment of animal diseases.
- (6) The owner of an animal and the owner's full-time employee from caring for and treating an animal belonging to such owner, except where the ownership was transferred to circumvent the law.
- (7) A member of the faculty of a veterinary school from performing his regular functions, or a person from lecturing or giving instructions or demonstrations at a veterinary school or in connection with a continuing education course.
- (8) Any person from selling or applying any pesticide, insecticide, or herbicide.
- (9) Any person from engaging in scientific research which reasonably requires experimentation involving animals.

New law retains existing law.

New law provides for definitions relative to the practice of equine dentistry.

New law provides that in order to obtain a certificate of approval as a registered equine dentist, the applicant shall meet the following requirements:

- (1) Submit a sworn application which has been subscribed before a notary public.
- (2) Submit evidence that such applicant is a current resident of this state on or before 7/1/99 and is substantially involved in the care and maintenance of horses in the horse racing industry in Louisiana.
- (3) Submit evidence that the license issued by the La. Racing Commission on or before 7/1/95 is in good standing.

- (4) Payment of fees established by the La. Board of Veterinary Medicine which shall not exceed the following amounts:

Original registration fee	\$250
Annual renewal of registration fee	\$250
Late fee for delinquent registration renewals	\$250
Application fee	\$100

New law provides that no person shall practice equine dentistry in La. unless such person is issued a certificate of approval by the Louisiana Board of Veterinary Medicine.

New law provides that a registered equine dentist may practice equine dentistry at a racetrack in this state.

New law provides that if such equine dentist performs services at a location other than at the racetrack, the registered equine dentist must notify and obtain approval from the horse owner's veterinarian or referral veterinarian if the horse has no veterinarian.

New law provides that any person who was licensed by the Louisiana State Racing Commission as an equine dentist before July 1, 1995, and who desires to practice equine dentistry shall be issued a certificate of approval upon meeting other requirements of law, rule, or regulation promulgated by the board.

New law exempts licensed veterinarians or persons who hold temporary permits to practice veterinary medicine from the provisions of new law.

New law provides that with proper training and the direct supervision of a licensed veterinarian, laypeople and registered veterinary technicians employed by a licensed veterinarian may perform certain services within the practice of equine dentistry as provided by law.

New law provides that after a hearing is held in compliance with the Administrative Procedure Act, the board may deny, suspend, or revoke the certificate of approval held by a registered equine dentist, or impose any other penalty prescribed by law, when the registered equine dentist has:

- (1) Willfully or negligently divulged or discussed with anyone a veterinarian's diagnosis or treatment without the permission of the veterinarian.
- (2) Convicted or entered a plea of nolo contendere to any offense involving moral turpitude.
- (3) Suffers from habitual or excessive use of alcohol or any controlled dangerous substance.
- (4) Committed fraud or misrepresentation in applying for or procuring a certificate of approval to perform as a registered equine dentist in this state, or in applying for or procuring an annual registration.
- (5) Impersonated another person registered as a equine dentist or allowed a person to use his certificate of approval.
- (6) Aided or abetted the practice of veterinary medicine by a person not licensed by the board.
- (7) Aided or abetted the practice of equine dentistry by a person not

registered by the board.

- (8) Performed duties as a equine dentist in an incompetent or grossly negligent manner.
- (9) Performed acts of cruelty upon animals.
- (10) Found guilty of unprofessional conduct.
- (11) Declared insane or incompetent by a court of law.
- (12) Engaged in conduct resulting in the suspension, revocation or any other sanction by another state of a registration, license, or certification performing as an equine dentist.
- (13) Employed fraud or dishonesty in connection with the practice as a registered equine dentist.
- (14) Shown to have exhibited conduct unbecoming to a person registered as an equine dentist.

New law provides that when a registered equine dentist fails to pay the required fee established in new law, such nonpayment of fees shall result in an automatic denial of a certificate of approval previously held by the equine dentist. Further provides that any denial, suspension, revocation, or other sanction shall be subject to review in accordance with the Administrative procedure Act and Louisiana Board of Veterinary Medicine rules.

New law provides that a registered equine dentist shall use the title "Registered Equine Dentist".

New law provides that the executive director of the Board of Veterinary Medicine annually in July shall mail a notice to each registered equine dentist notifying him that his certificate of approval will expire annually on Sept. 30th, and provide such registered equine dentist with a form to apply for renewal of his certificate. Upon receipt of both the renewal application and the required fee established by the board, the executive director of the board shall issue a renewal certificate.

New law authorizes the board to adopt by rule, a continuing education program for registered equine dentists. Further provides that a registered equine dentists shall participate in the continuing education program as a condition of retaining the certificate of approval.

New law provides that any person who continues to practice equine dentistry after his certificate of approval has expired and who fails or neglects to renew such certificate shall be held in violation. Further provides that any person may renew his expired certificate of approval within one year of expiration by making a written application for renewal, paying the current renewal fee, plus all delinquent renewal fees, and meeting the continuing education program requirements.

New law provides that each holder of a certificate of approval who is allowed to act in the capacity of a registered equine dentist shall have such certificate in his possession when practicing equine dentistry.

New law provides that the board, in addition to the penalties provided in new law, may seek to impose a civil penalty in any district court for any violation for which the board may issue a notice to cease and desist. Provides that the civil penalty shall be no less than \$500 and no more than \$5,000 for each

offense.

New law provides that if the board finds a registered equine dentist guilty of any violations set forth in new law, the board may enter an order imposing one or more of the following penalties:

- (1) Denial of an application.
- (2) Revocation or suspension of a certificate of approval.
- (3) Imposition of a fine not to exceed \$1,000 for each count or separate offense.
- (4) Issuance of a reprimand.
- (5) Placement on probation for a period of time and subject to such conditions as the board may specify.
- (6) Restricting the authorized scope of practice.

New law provides that the board, by rule, shall allow a registered equine dentist when his application is denied to appeal such denial. Further provides that the board shall impose other administrative penalties only on the basis of a ruling by the board at an adjudicatory hearing.

New law provides that in addition to the disciplinary action or fines assessed by the board, the board may assess all cost of the board's proceedings.

New law further provides that the La. Board of Veterinary Medicine, in accordance with the Administrative Procedure Act, shall adopt all rules and regulations and collect all fees necessary to carry out the provisions of new law. Such rule shall include but not be limited to defining the duties of a registered equine dentist, determining eligibility requirements for registration, and establishing disciplinary grounds and penalties.

New law provides that no veterinarian shall be held liable for any act or omission of a registered equine dentist.

Effective upon signature of governor (July 9, 1999).

(Adds R.S. 37:1514(10) and 1561-1570))